

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

H.B.,)
)
 Plaintiff,)
)
) Case No. 1:22-cv-01181-JPB
 v.)
)
 Red Roof Inns, Inc., et al.,)
)
 Defendants.)

**DEFENDANTS RED ROOF INNS, INC., RRI WEST MANAGEMENT,
LLC, AND FMW RRI I, LLC'S OPPOSITION TO PLAINTIFF'S MOTION
TO EXCLUDE PORTIONS OF THE REPORTS AND TESTIMONY OF
DEFENDANTS' EXPERTS DR. KIMBERLY MEHLMAN-OROZCO AND
MICHAEL SEID**

Plaintiff's Motion to Exclude Portions of the Reports and Testimony of Defendants' Experts Dr. Kimberly Mehlman-Orozco and Michael Seid (ECF No. 89) ("Plaintiff's Motion") challenges one section in Dr. Mehlman-Orozco's report and one section in Mr. Seid's report. Plaintiff's Motion contains no other challenges. In response to Plaintiff's Motion, Defendants Red Roof Inns, Inc., RRI West Management, LLC, and FMW RRI I, LLC (collectively, "Defendants") state as follows:

With respect to Plaintiff's challenge to the report of Dr. Mehlman-Orozco, Plaintiff only challenges Section XI on secondary exploitation. *See* Pl.'s Mot. at 6-

10. Defendants note that Plaintiff, in seeking to exclude this narrow piece of Dr. Mehlman-Orozco's report, does not challenge her central opinions or her qualifications on the topic of sex trafficking, nor does Plaintiff claim that Dr. Mehlman-Orozco is unqualified to provide the opinions expressed in her report. Dr. Mehlman-Orozco is one of the nation's top sex trafficking experts and has been recognized as such in state and federal courts. Her opinions, including her opinions on secondary exploitation, are reliable and based on state-of-the-art science and research, as shown through her expert report and relevant citations. But to streamline the issues in this case and preserve judicial resources, Defendants aver that Dr. Mehlman-Orozco will not offer opinions on secondary exploitation at trial in this matter.

As for Mr. Seid, Plaintiff only takes issue with Section 1 of his report regarding "care, custody or control." *See* Pl.'s Mot. at 10-16. Plaintiff does not challenge Mr. Seid's qualifications or the propriety of him offering opinions relating to franchising in this matter. His opinions are reliable and based on decades of experience, and he has testified as an expert in dozens of cases across the country. However, to limit the number of issues before the Court and to advance the goals of judicial economy, Defendants agree that Mr. Seid will not offer opinions regarding "care, custody or control" at trial in this matter.

As Defendants have agreed not to offer these two discrete challenged opinions at trial, they respectfully request this Court deny Plaintiff's Motion as moot.

Dated: October 19, 2023

Respectfully submitted,

/s/ Marcella C. Ducca

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LOCAL RULE 7.1(D) CERTIFICATION

Counsel certifies that this brief has been prepared with Times New Roman size 14 pt font, which is one of the font and point selections approved by the Court in Local Rule 5.1. This brief does not contain more than 10 characters per inch of type.

Dated: October 19, 2023

/s/ Marcella C. Ducca
Marcella C. Ducca (Ga. Bar No. 115079)

*One of the Attorneys for Defendants
Red Roof Inns, Inc., FMW RRI I, LLC,
and RRI West Management, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send electronic notification to all attorneys of record. Respectfully submitted this 19th day of October 2023.

Dated: October 19, 2023

/s/ Marcella C. Ducca
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